

FEDERAL BUREAU OF INVESTIGATION  
FOI/PA  
DELETED PAGE INFORMATION SHEET  
FOI/PA# 1319319-0

Total Deleted Page(s) = 2  
Page 21 ~ Duplicate - 47-HQ-56689-435;  
Page 25 ~ Duplicate - 47-HQ-56689-437;

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FEDERAL BUREAU OF INVESTIGATION  
FOI/PA  
DELETED PAGE INFORMATION SHEET  
FOI/PA# 1192989-0

Total Deleted Page(s) = 2  
Page 21 ~ Duplicate - 47-HQ-56689-435;  
Page 25 ~ Duplicate - 47-HQ-56689-437;

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FBI

## TRANSMIT VIA:

☐ Teletype  
☐ Facsimile  
☒ Airtel

## PRECEDENCE:

☐ Immediate  
☐ Priority  
☐ Routine

## CLASSIFICATION:

☐ TOP SECRET  
☐ SECRET  
☐ CONFIDENTIAL  
☐ E F T O  
☐ CLEAR

Date 10/25/78

TO: DIRECTOR, FBI (47-56689)

FROM: SAC, WFO (47-10713) (P)

MARY SUE HUBBARD;

[redacted] - FUGITIVE;  
 [redacted] - FUGITIVE;

ET AL  
 SITOL  
 (OO:WFO)

[redacted]  
 BOMB THREAT  
 (OO:NY)

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 DATE 4-7-88 BY SP2TAP/akh  
11/3/85

b6  
b7C

ReNYairtel to the Bureau, 10/4/78.

On 10/15/78, [redacted], Space Management,  
 Internal Revenue Service (IRS), 1111 Constitution Avenue,  
 N.W., Washington, D. C. (WDC), advised Special Agent  
 (SA) [redacted] that IRS has no current employee  
 named [redacted]

On 10/23/78, [redacted] advised SA [redacted]  
 that the individual referred to in Washington Field  
 Office (WFO) report, 9/14/78, on page 302, actually  
 worked for a committee on Capitol Hill and was not  
 the individual known to [redacted]

REC-79

1 OCT 26 1978

- ② - Bureau (1 - 174-3711)  
 2 - New York (1 - 174-1804)  
     (1 - 47-11947)  
 2 - WFO (1 - 174-739)

RST:mer

(6)

1-610

11/30/78

RST:ES S

NOV 3 1978

FUCK SUP

SIX

SIX

UNRECORDED COPY FILED IN

Approved: 37 NOV 14 1978

Transmitted \_\_\_\_\_

(Number)

(Time)

Per \_\_\_\_\_

FBI

## TRANSMIT VIA:

☐ Teletype  
☐ Facsimile  
☒ Airtel

## PRECEDENCE:

☐ Immediate  
☐ Priority  
☐ Routine

## CLASSIFICATION:

☐ TOP SECRET  
☐ SECRET  
☐ CONFIDENTIAL  
☐ E F T O  
☐ CLEAR

Date 11/2/78

TO: DIRECTOR, FBI (47-56689)  
 (ATTENTION: SA [REDACTED] EXHIBIT SECTION)

b6  
b7C

FROM: SAC, WFO (47-10713) (P)

MARY SUE HUBBARD; b6  
 [REDACTED] - FUGITIVE; b7C  
 [REDACTED] - FUGITIVE;

ET AL  
 SITOL  
 (OO:WFO)

**ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED**

DATE 4-7-82 BY SP2TTP/CLL

On 10/31/78, Washington Field Office (WFO) agents delivered two diagrams of two separate locations searched in Los Angeles, California, on 7/8/77, to Exhibit Section, FBI Headquarters. WFO requests exhibits made in 40 inch by 60 inch size of these two documents for use in trial in this matter after the first of next year.

Exhibit Section is requested to advise Special Agent (SA) [REDACTED] on extension [REDACTED] or SA [REDACTED], on extension [REDACTED] when exhibits are completed.

b6  
b7C

*Rec'd det. [unclear]  
 11/13/24/78*

127

REC-24

47-56689-433

14 NOV 3 1978

③ - Bureau  
 1 - WFO

RST:mer  
 (4)

100-7900378

SPEC. PROJ. SEC.

Approved: *[Signature]*

Transmitted

(Number)

(Time)

Per



~~CONFIDENTIAL~~

21 NOV 78 16 50z

RECEIVED  
FEDERAL BUREAU  
OF INVESTIGATION  
COMMUNICATIONS SECTION

Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
Dep. AD Inv. \_\_\_\_\_  
Asst. Dir.: \_\_\_\_\_  
Adm. Serv. \_\_\_\_\_  
Crim. Inv. \_\_\_\_\_  
Ident. \_\_\_\_\_  
Intell. \_\_\_\_\_  
Laboratory \_\_\_\_\_  
Legal Coun. \_\_\_\_\_  
Plan. & Insp. \_\_\_\_\_  
Rec. Mgmt. \_\_\_\_\_  
Tech. Servs. \_\_\_\_\_  
Training \_\_\_\_\_  
Public Affs. Off. \_\_\_\_\_  
Telephone Rm. \_\_\_\_\_  
Director's Sec'y \_\_\_\_\_

P 211534Z NOV 78

FM LONDON (47-47)

TO DIRECTOR PRIOTY 1183-21

BT

UNCLAS E F T

MARY SUE HUBBARD; [REDACTED] - FUGITIVE; [REDACTED]

FUGITIVE; ET AL; SITOL. OO - WFO.

REBUTEL 11/20/78. *438*

ON 11/21/78, DETECTIVE [REDACTED] (D/C) [REDACTED], EXTRA-  
DITION SQUAD, METROPOLITAN POLICE, [REDACTED] ADVISED

[REDACTED] SURRENDERED AT BOW STREET MAGISTRATES COURT,  
LONDON ON 11/17/78. *(X)(u)*

[REDACTED] BRITISH PASSPORT AND [REDACTED] U. S.  
PASSPORT. BOTH RELEASED ON TEN THOUSAND POUNDS (\$20,000) BOND.

NEXT APPEARANCE 2/16/79. *(X)(u)*

FBIHQ RELAY TO WFO.

BT

EX-122

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
EXCEPT WHERE SHOWN  
OTHERWISE

REC-9

*47-56689-435*

Class. & Ext. By *SP2TAP/GU*  
Reason-FCIM II, 1-2.4.2 *1, 3*  
Date of Review *11-21-2008*

2 NOV 1978

b6  
b7C

DECLASSIFIED BY *9788 RES/AHR*  
ON *3/14/84*

61 DEC 19 1978  
0  
M6  
11 21 78

~~CONFIDENTIAL~~

FUGITIVE

~~CONFIDENTIAL~~

Assoc. Dir.	
Dep. AD Adm.	
Dep. AD Inv.	
Asst. Dir.:	
Adm. Serv.	
Crim. Inv.	
Ident.	
Intell.	
Laboratory	
Legal Coun.	
Plan. & Insp.	
Rec. Mgmt.	
Tech. Servs.	
Training	
Public Affs. Off.	
Telephone Rm.	
Director's Sec'y	

VZCZCWF0623

20 Nov 78 16 07z

RR HQ

DE WF 0001 3241600

ZNR UUUUU

PR 201526Z NOV 78

FM FBI WASHINGTON FIELD (47-10713) (P)

COMMUNICATIONS SECTION

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
EXCEPT WHERE SHOWN  
OTHERWISE

TO DIRECTOR FBI (47-56689) ROUTINE

JEP  
BT

Class. & Ext. By SP/abau  
Reason-FCIM II, 1-2.4.2  
Date of Review 11-20-98

4-287

UNCLAS

ONR TC

MARY SUE HUBBARD; [REDACTED] - FUGITIVE; [REDACTED]

b6  
b7C

FUGITIVE; ET AL; SITOL, (OFFICE OF ORIGIN: WASHINGTON  
FIELD)

ON NOVEMBER 17, 1978, ASSISTANT UNITED STATES ATTORNEY  
(AUSA) [REDACTED], WASHINGTON, D. C. (WDC), ADVISED  
WASHINGTON FIELD THAT FUGITIVES [REDACTED] HAD BEEN  
APPREHENDED IN ENGLAND. (f) u

b6  
b7C

AUSA [REDACTED] FURTHER ADVISED THAT DEADLINE FOR MOTIONS  
TO BE SUBMITTED BY DEFENSE IN THIS MATTER ON NOVEMBER 20,  
1978, HAS BEEN POSTPONED UNTIL 20 DAYS AFTER CLARIFICATION  
OF ORDER ISSUED OCTOBER 30, 1978, BY THE APPELLATE COURT  
IN LOS ANGELES, CALIFORNIA. ORDER ISSUED BY APPELLATE  
COURT MADE DOCUMENTS SEIZED IN SEARCHES OF JULY 8, 1977,  
UNAVAILABLE TO ANY OTHER GOVERNMENT AGENCIES.

EX-111

REC-60

47-56689-437

NOV 22 1978

7/18/80  
0-130  
Stein 11-20-78  
MGA

~~CONFIDENTIAL~~

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 6-18-82 BY SP-6/abau



FBI

## TRANSMIT VIA:

☐ Teletype☐ Facsimile☐ \_\_\_\_\_

## PRECEDENCE:

☐ Immediate☐ Priority☐ Routine

## CLASSIFICATION:

☐ TOP SECRET☐ SECRET☐ CONFIDENTIAL☐ UNCLAS E F T O☐ UNCLAS

AIRTEL

Date 12/8/78

TO DIRECTOR, FBI

FROM LEGAT, LONDON (47-47) (P)

MARY SUE HUBBARD;

- FUGITIVE

- FUGITIVE

ET AL; SITOL

OO - WFO

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 11/19/84 BY SP2TAP/av

Enclosed is a copy of a letter dated 12/6/78  
received from [redacted] of the East Grinstead  
Observer, East Grinstead, Sussex, England.

FBIHQ is requested to furnish a copy of the  
enclosure to Departmental Attorney [redacted]

- 3 - Bureau (2 encls)  
(1 - Foreign Liaison Unit)  
1 - London  
RSC:rn  
(4)

1cc encl to Crim. Div  
Gen. Criminal Unit

Attn: Attorney [redacted]

by 0-6 R/S  
12/21/78

REC-39

47-47-443

23 DEC 19 1978

b6  
b7CEX-102  
EX-102  
EX-102

Approved: [signature]

Transmitted \_\_\_\_\_

(Number)

(Time)

Per \_\_\_\_\_

SAC, WFO (47-10713)

Director, FBI (47-56089)

1/3/79

MARY STUBBS  
[REDACTED] BEARD  
[REDACTED] FUGITIVE  
[REDACTED] FUGITIVE

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE 4-7-82 BY SP7ADG/LL

SITOL

Re ~~urairtel dated 11/2/78~~ *RE 11/3/78*  
There is/are being forwarded to your office

by Hand-carried Two  
(method of transmittal) (number or quantity)  
40"x60" trial charts  
(article(s) or item(s)) prepared by Special Projects  
Section, Laboratory Division, re captioned matter.

The following action should be taken by your office:

- ☐ Check charts against submitted work papers or roughs.
- ☐ Advise of exact trial date, soon as known.
- ☐ After action completed advise Bureau, attention Special Projects Section, re use and value of charts. Include comments, if any, by court officers.
- ☐ Note list of chart titles on attached sheet.
- ☐ Note Special Projects Section Comments on attached sheet.

COMMENTS:

Submitted original documents enclosed herewith.

Enclosure

DPB:aeb  
(3)

EX-114

REC-80

47-56689-445

JAN 5 1979

ENCLOSURE

MAIL ROOM

7 9 JAN 23 1979



FBI

## TRANSMIT VIA:

☐ Teletype  
☐ Facsimile  
☒ Airtel

## PRECEDENCE:

☐ Immediate  
☐ Priority  
☐ Routine

## CLASSIFICATION:

☐ TOP SECRET  
☐ SECRET  
☐ CONFIDENTIAL  
☐ UNCLAS E F T O  
☐ UNCLAS

Date 2/15/79

TO: DIRECTOR, FBI (47-58689)

FROM: SAC, WFO (47-10713) (P)

MARY SUE HUBBARD; *NR*

*TC*  
 [REDACTED] FUGITIVE;  
 - FUGITIVE; ✓

b6  
 b7C

ET AL  
 SITOL  
 (OO:WFO)

On 2/9/79, Judge CHARLES R. RICHEY, United States District Court (USDC), Washington, D. C. (WDC), was assigned as the trial judge in this matter. A status call has been set for 2/21/79. It is expected a date for the hearing of motions and a trial date will be set at this time.

Washington Field Office (WFO) will provide the Bureau and all offices providing witnesses in matter a schedule of hearings and the trial date as soon as this information becomes available.

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 4-7-82BY SP2TAD/

ST 117

EC-47

47-56689-450

14 FEB 15 1979

② - Bureau  
 1 - WFO

RST:mer  
 (3)

66 MAR 12 1979

FUGITIVE INDEX

Approved: NFJ/B

Transmitted

(Number)

(Time)

Per

b6  
 b7C

VZCZ CWF0250

RR HI LA NY TP

DE WF #0019 0542205

ZNR UUUUU

R 232205Z FEB 79

23 FEB 79 22 09z

FM FBI WASHINGTON FIELD (47-10713) (P)

TO DIRECTOR FBI (47-56689) ROUTINE

FBI LOS ANGELES (47-12230) ROUTINE (LA VIA FBIHQ)

FBI NEW YORK (174-1804) ROUTINE (NY VIA FBIHQ)

FBI TAMPA (47-1773) ROUTINE

BT

UNCLAS

MARY SUE HUBBARD; [REDACTED] - FUGITIVE; [REDACTED]

FUGITIVE; ET AL; SITOL, (OFFICE OF ORIGIN: WASHINGTON FIELD)

FOR INFORMATION OF BUREAU AND RECEIVING OFFICES, A STATUS CALL WAS HELD IN THIS MATTER BEFORE JUDGE CHARLES R. RICHEY, UNITED STATES DISTRICT COURT (USDC), WASHINGTON, D. C. (WDC), ON FEBRUARY 21, 1979. NO TRIAL DATE OR DATE FOR MOTIONS HEARING WAS SET BY JUDGE RICHEY. THE GOVERNMENT EXPECTS TO HAVE WRITTEN ANSWERS TO ALL MOTIONS SUBMITTED BY THE DEFENSE TO JUDGE RICHEY BY MARCH 2, 1979. JUDGE RICHEY WILL THEREAFTER REVIEW MOTIONS AND THE GOVERNMENT'S ANSWER AND SET A DATE FOR A MOTIONS HEARING.

BT

#0019

NNNN

Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
Dep. AD Inv. \_\_\_\_\_  
Asst. Dir.:  
Adm. Serv. \_\_\_\_\_  
Crim. Inv. \_\_\_\_\_  
Ident. \_\_\_\_\_  
Incl. \_\_\_\_\_  
Laboratory \_\_\_\_\_  
Legal Coun. \_\_\_\_\_  
Plan. & Insp. \_\_\_\_\_  
Rec. Mgmt. \_\_\_\_\_  
Tech. Servs. \_\_\_\_\_  
Training \_\_\_\_\_  
Public Aff. Off. \_\_\_\_\_  
Telephone Rm. \_\_\_\_\_  
Director's Sec'y \_\_\_\_\_

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4-7-82 BY SP2TAP/alt

b6  
b7C

EX-120

REC-69

47-56689-452

FEB 27 1979

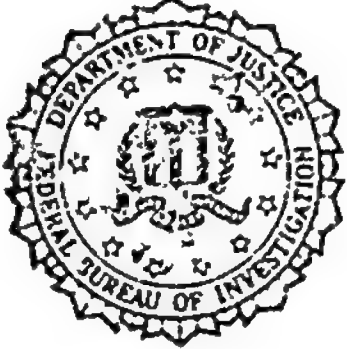
100-1-5054

FBIHQ

62 MAR 10 1979  
TELETYPE TO  
LA, NY

FUGITIVE INDEX





## FEDERAL BUREAU OF INVESTIGATION

Washington, D. C. 20537

## REPORT

of the

LATENT FINGERPRINT SECTION  
IDENTIFICATION DIVISION

YOUR FILE NO. 62-11084 (P)  
FBI FILE NO. 62-117775  
LATENT CASE NO. B-51903

February 14, 1979

TO:  
SAC, WFO

RE: UNSUB., AKA  
[REDACTED]

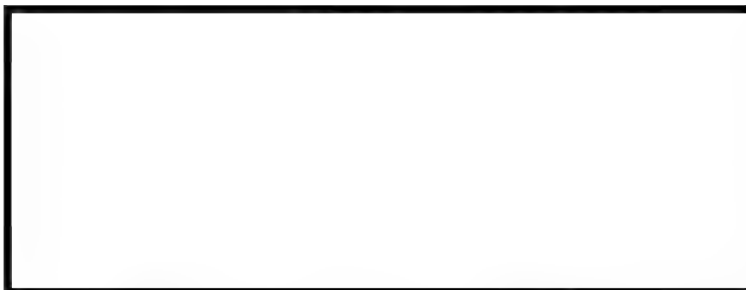
b6  
b7C

ADMINISTRATIVE INQUIRY

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4-7-82 BY SP2TAL/CLL

REFERENCE: Airtel 1/26/79  
EXAMINATION REQUESTED BY: WFO  
SPECIMENS:

The previously reported unidentified latent prints in this case are not identical with the fingerprints and palm prints of the following individuals:



Mary Sue Hubbard

b6  
b7C



Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
Dep. AD Inv. \_\_\_\_\_  
Asst. Dir.:  
Adm. Servs. \_\_\_\_\_  
Crim. Inv. \_\_\_\_\_  
Ident. \_\_\_\_\_  
Intell. \_\_\_\_\_  
Laboratory \_\_\_\_\_  
Legal Coun. \_\_\_\_\_  
Plan. & Insp. \_\_\_\_\_  
Rec. Mgnt. \_\_\_\_\_  
Tech. Servs. \_\_\_\_\_  
Training \_\_\_\_\_  
Public Affs. Off. \_\_\_\_\_  
Telephone Rm. \_\_\_\_\_  
Director's Sec'y \_\_\_\_\_

The previously reported latent fingerprints in this case are not identical with the fingerprints of [REDACTED]

WFO (47-10313)  
B-51903 (47-56589)

(Continued on next page)

THIS REPORT IS FURNISHED FOR OFFICIAL USE ONLY

(6) MAIL ROOM ☐

62-117775-  
ORIGINAL FILED IN  
b6  
b7C

47-56589-  
NOT RECORDED  
MAR 1 1979



SAC, WFO

February 14, 1979

[redacted] No palm prints were located in the Identification Division files for these individuals.

b6  
b7C

Inked palm prints of [redacted] previously submitted with your case #47-10713, Bufile #47-56889, were returned with the Latent Fingerprint Section report dated 11/16/78.

VZCZCWF0940

RR HI LV LA NY

DE WF #0010 092224Z

ZNR UUUUU

R 022217Z APR 79

FM FBI WASHINGTON FIELD (47-10713) (P)

TO DIRECTOR FBI (47-56689) ROUTINE

FBI LAS VEGAS ROUTINE

FBI LOS ANGELES (47-12230) ROUTINE (LA VIA FBIHQ)

FBI NEW YORK (174-1804) ROUTINE (NY VIA FBIHQ)

BT

UNCLAS

SITOL

7 APR 79 23 242

FEDERAL BUREAU  
OF INVESTIGATION  
COMMUNICATIONS SECTION

Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
Dep. AD Inv. \_\_\_\_\_  
Asst. Dir.: \_\_\_\_\_  
Adm. Serv. \_\_\_\_\_  
Crim. Inv. \_\_\_\_\_  
Ident. \_\_\_\_\_  
Intell. \_\_\_\_\_  
Laboratory \_\_\_\_\_  
Legal Coun. \_\_\_\_\_  
Plan. & Insp. \_\_\_\_\_  
Rec. Mgnt. \_\_\_\_\_  
Tech. Servs. \_\_\_\_\_  
Training \_\_\_\_\_  
Public Affs. Off. \_\_\_\_\_  
Telephone Rm. \_\_\_\_\_  
Director's Sec'y \_\_\_\_\_

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE 4-7-80 BY SP2TAP/act  
12/4/84 BY SP2TAP/act

REFERENCE NEW YORK CALL TO WASHINGTON FIELD, MARCH 30,  
1979.

FOR INFORMATION OF BUREAU AND NEW YORK, [REDACTED]  
INTERVIEWED BY WASHINGTON FIELD AND LOS ANGELES CASE AGENTS  
IN LAS VEGAS ON MARCH 23, 1979, AND WAS ONLY ABLE TO PROVIDE  
HERESAY INFORMATION REGARDING FEDERAL VIOLATIONS COMMITTED  
BY PERSONNEL OF THE GUARDIAN'S OFFICE OF THE CHURCH OF  
SCIENTOLOGY (COS). [REDACTED] HAD NO DIRECT KNOWLEDGE OF  
ANY FEDERAL VIOLATIONS COMMITTED BY THE GUARDIAN'S OFFICE,  
BUT STATED IT WAS WIDELY KNOWN THROUGHOUT THE GUARDIAN'S  
OFFICE THAT VIOLATIONS HAD OCCURRED. [REDACTED] DID ADVISE

b6  
b7C

TELETYPED TO:  
LA NY

89 APR 20 1979

100-T-5056 REC-131  
JES/FSG

APR 10 1979

J-6

PAGE TWO DE WF 0010 UNCLAS

THAT COMMUNICATIONS SENT BY MARY SUE HUBBARD WERE APPROVED BY L. RON HUBBARD. [ ] ADVISED THAT [ ] WAS ALSO A PERSONAL MESSENGER FOR L. RON HUBBARD AND MAY HAVE KNOWLEDGE OF ILLEGAL ACTIVITIES COMMITTED BY THE GUARDIAN'S OFFICE. [ ] ADVISED SHE HAS TELEPHONICALLY CONTACTED [ ], AND [ ] WILL BE RECEPTIVE TO INTERVIEW BY THE FEDERAL BUREAU OF INVESTIGATION (FBI). [ ] WAS UNABLE TO PROVIDE [ ] ADDRESS IN NEW YORK CITY, BUT STATED HER TELEPHONE NUMBER IS [ ].

b6  
b7C

ON MARCH 29, 1979, [ ] INTERVIEWED IN LAS VEGAS AND ADVISED HIS WIFE, [ ] [ ] FOR MARY SUE HUBBARD [ ]

[ ] ADVISED HIS WIFE NEVER DISCUSSED HER JOB AND PAID NO ATTENTION TO WHAT SHE WAS [ ] STATED HE HAD NO KNOWLEDGE OF ANY OF THE ACTIVITIES OF THE GUARDIAN'S OFFICE AS THE GUARDIAN'S OFFICE WAS VERY SECRETIVE AND CONCERNED ABOUT SECURITY.

FOR INFORMATION OF THE BUREAU AND RECEIVING OFFICES, UNITED STATES ATTORNEY'S (USA'S) OFFICE, WASHINGTON, D. C. (WDC), HAD DEVELOPED [ ] AS A POSSIBLE PLANT





UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Washington, D.C. 20535

June 6, 1979

In Reply, Please Refer to  
File No.

MARY SUE HUBBARD



b6  
b7C

CONSPIRACY, THEFT OF GOVERNMENT PROPERTY,  
AIDING AND ABETTING, OBSTRUCTION OF JUSTICE,  
FALSE DECLARATIONS BEFORE A FEDERAL GRAND JURY,  
INTERCEPTION OF COMMUNICATIONS

Passport records of

[redacted] Mary Sue Hubbard, and [redacted]  
are being held at the Washington Field Office of the Federal  
Bureau of Investigation for the purpose of handwriting  
identification of those subjects. The trial date for the  
above subjects has been scheduled for September 24, 1979,  
at the U.S. District Court, Washington, D.C. It is  
anticipated that passport records may be introduced as  
evidence at that trial. Passport records will be returned  
upon completion of the trial.

This document contains neither  
recommendations nor conclusions of  
the FBI. It is the property of  
the FBI and is loaned to your agency;  
it and its contents are not to be  
distributed outside your agency.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4-8-72 BY SP-1 APOC

47-56677-478

ENCLOSURE

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

FILED

JUN 27 1978

JAMES F. DAVEY, Clerk

UNITED STATES OF AMERICA, :

v. :

Criminal Case No. 78-401

MARY SUE HUBBARD, et al. :

O R D E R

This action is before the Court on the motion of the government to quash the subpoenas issued by the defendants upon some 145 agents of the Federal Bureau of Investigation, as well as two Assistant United States Attorneys Henry F. Schuelke, III and Raymond Banoun, Michael Meisner, and Robert W. Ogren, the former Chief of the Fraud Division of the United States Attorney's Office in the District of Columbia.

First, the subpoena served upon Michael Meisner shall be quashed. The defendants claim that they seek to cross-examine Meisner in order to establish that the affidavit which supported the search warrant contained deliberate falsehoods. However, Meisner was not the affiant, Tuttle was, and Franks v. Delaware, 98 S.Ct. 2674, 2685 (1978) holds: "The deliberate falsity or reckless disregard whose impeachment is permitted today is only that of the affiant, not of any nongovernmental informant." Plainly, Meisner is a nongovernmental informant and not the affiant. Accordingly, the defendants have no right to challenge his statements to Tuttle.

Second, the subpoenas served upon Banoun, Schuelke, and Ogren shall be quashed. The information which would be available from these government attorneys can be obtained from the FBI agents who participated in the execution of the warrants. The content of the attorneys' briefings of the agents can be obtained from the agents as well as from the

47-56689-488  
ENCLOSURE



government's counsel. Pursuant to Federal Rule of Evidence 403, the Court shall preclude the evidence they would offer on the ground that it would only result in "undue delay, waste of time. . . . (and) needless presentation of cumulative evidence." Of course, in making this determination the Court is mindful of the rule that "lawyers representing litigants should not be called as witnesses in trials involving those litigants if such testimony can be avoided consonant with the end of obtaining justice." United States v. Alu, 246 F.2d 29, 53-34 (2d Cir. 1957).

With respect to the 145 agents of the Federal Bureau of Investigation, the Court will not quash the subpoenas. Instead, the Court shall request that the defendants limit their subpoenas to a reasonable number along the lines of what they have indicated is possible. Furthermore, in order to resolve the controversy over who shall pay for the transportation of these agents, the Court shall appoint itself Special Master and will conduct hearings with respect to these witnesses in California.

Upon consideration of the entire record herein, it is, by the Court, this 27 day of June, 1979,

ORDERED, that the motion of the government to quash the subpoenas issued against Mafsen, Schuelke, Benoun, and Ogren, be, and the same hereby is, granted; and it is:


FURTHER ORDERED, that in all other respects the government's motion be, and the same hereby is, denied; and *without prejudice* it is

FURTHER ORDERED, that the defendants are requested by the Court to limit their subpoenas to fifty (50) agents of the Federal Bureau of Investigation, if it is at all possible; and it is

FURTHER ORDERED, that the Court shall and hereby does



appoint itself as Special Master to hear testimony in Los Angeles, California to begin on Monday, July 2, 1979, at the United States Courthouse.

  
Charles R. Richey  
United States District Judge

*Memorandum*

TO : Director

DATE: 7/11/79

FROM : Legal Counsel *Joan JCF*SUBJECT: SITOL**ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED****DATE 4-8-82 BY SP2TAP/CLL**

Assoc. Dir. \_\_\_\_\_  
 Dep. AD Adm. \_\_\_\_\_  
 Dep. AD Inv. \_\_\_\_\_  
 Asst. Dir.:  
 Adm. Servs. \_\_\_\_\_  
 Crim. Inv. \_\_\_\_\_  
 Ident. \_\_\_\_\_  
 Intell. \_\_\_\_\_  
 Laboratory \_\_\_\_\_  
 Legal Coun. \_\_\_\_\_  
 Plan. & Insp. \_\_\_\_\_  
 Rec. Mgnt. \_\_\_\_\_  
 Tech. Servs. \_\_\_\_\_  
 Training \_\_\_\_\_  
 Public Affs. Off. \_\_\_\_\_  
 Telephone Rm. \_\_\_\_\_  
 Director's Sec'y \_\_\_\_\_

PURPOSE: To report issuance of subpoenas in captioned criminal action, including a subpoena for the Director, and status thereof.

SYNOPSIS AND DETAILS: Gow to Mr. Moore memorandum dated 6/27/79 same caption advised inter alia of receipt of subpoenas for 43 Special Agents issued by the United States Attorney's office, Washington, D.C., to testify at a suppression hearing on 7/2/79 in U.S. District Court, Washington, D.C.

Prior to the issuance of the above subpoenas, counsel for defendants caused to be delivered to Legal Counsel on 6/15/79 approximately 145 subpoenas for Special Agents, primarily assigned to the Los Angeles Division, for testimony at the above referred to suppression hearing.

On 6/18/79 Assistant United States Attorney [redacted] Washington, D.C., was contacted concerning the defense subpoenas. She requested no action by the FBI pending consultation with Assistant United States Attorney [redacted], who is assigned to prosecute this case. On 6/20/79 Assistant United States Attorney [redacted] Washington, D.C., telephonically advised that on the same date the Government had filed a motion to quash the defense subpoenas (copy attached). On 6/27/79 United States District Judge Charles Richey by order (copy attached) denied the motion to quash the subpoenas for Agent testimony but requested if possible that defense counsel limit their subpoenas to 50 Agents. In addition the court appointed itself as a Special Master to hear testimony in U.S. District Court, Los Angeles commencing on 7/2/79.

b6  
b7C

Enclosures (2)

- 1 - Mr. Moore
- 1 - Mr. Ingram
- 1 - Mr. Gow
- 1 - Mr. J. E. Smith

RFP:blb (9)

- 1 - Mr. McDermott
- 1 - Mr. Boynton
- 1 - Mr. Steel
- 1 - Legal Research Unit

(CONTINUED-OVER)

84 AUG 7 '79



Memorandum Legal Counsel to Director  
Re: SITOL

Following the court's order of 6/27/79, defendants issued 25 new subpoenas for testimony of 24 Agents and 1 subpoena for the Director. The latter subpoena commands the Director or his designated representative to, in essence, produce all Bureau regulations relating to the conduct of a search and impersonation of newsmen. This subpoena also directs that the Director produce all documentation relating to the searches conducted at Los Angeles, California, on 7/8/77 including documents seized.

On 7/6/79 Special Agent [redacted] Los Angeles Division, telephonically advised that he had contacted the chief prosecutor, Assistant United States Attorney [redacted] [redacted] with reference to this subpoena. [redacted] intends to move to quash but had not done so as of 7/6/79.

b6  
b7C

On 7/10/79 SA [redacted] Los Angeles Division, advised that no FBI witnesses have as yet been called to testify in the suppression hearing. The hearing is ongoing, and the court is currently taking testimony from witnesses representing the Church of Scientology. Further, counsel for the defendants and the Government have entered into plea bargaining discussions which involve guilty pleas on the part of all defendants except Mary Sue Hubbard against whom the charges will be dismissed. *will*

RECOMMENDATION: None, for information.

*RFV*

APPROVED: *[Signature]*

Director \_\_\_\_\_  
Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
Dep. AD Inv. \_\_\_\_\_

Adm. Serv. \_\_\_\_\_  
Crim. Inv. *[Signature]*

Ident. \_\_\_\_\_  
Intell. \_\_\_\_\_  
Laboratory \_\_\_\_\_

Legal Coun. *[Signature]*

Plan. & Insp. \_\_\_\_\_  
Rec. Mgnt. \_\_\_\_\_  
Tech. Servs. \_\_\_\_\_  
Training \_\_\_\_\_  
Public Affs. Off. \_\_\_\_\_